

Shuttle Mediation When No Charges Have Been Brought

A 15 year old boy punched a female friend, causing tension between the two families, and one party making threatening phone calls. A shuttle mediation resolved the issues.

Background

Simon was a 15 year old with grown up siblings. He lived with his mother and father on a low-rise estate in a central but hard-to-get-to part of an inner city. Next-door-but-one lived his relative Zoë. Despite some past tension Simon was very close to Zoë and her family.

The Conflict

One Bonfire Night, Simon punched Zoë in the face because she taunted him, giving her a serious cut needing hospital treatment. No charges were made, but the incident ignited past tensions. Families, their neighbours and the teenagers' friends became involved. In the following months Simon and his mother complained of name-calling, insulting graffiti and rumours, shouting and 'dirty looks'. Zoë and her family made counter-allegations including drug use. The Council Housing Office encouraged Simon and his mother to record incidents. The police were often called. Simon got into fights with Zoë's younger brothers and male friends and his nose was broken. No charges were brought, but the police began to investigate threatening telephone calls and text messages sent to Simon. Zoë and Simon effectively dropped out of their school. Zoë spent much time with relatives elsewhere, causing more rumours. The police eventually put Simon in contact with the Victim Support Restorative Justice Worker who handled victim contact in Youth Offending Team (Yot) cases. With great difficulty, she persuaded the Council's AntiSocial Behaviour Unit to refer the case to the local independent Mediation Service, which provided victim-offender mediation to the Yot, but had received very few referrals. It was now two years since Simon hit Zoë, but as the police (unknown to her) had identified Zoë and her friends as the threatening callers, it seemed likely that unless things improved the case would soon come to the Yot anyway.

The Mediation

The paid Victim Offender Mediation Co-ordinator and a Volunteer Mediator met with Simon and then visited Zoë's family as a whole. Simon was scared and regretted punching Zoë, but was caught up in incident recording and investigations, driven by his protective mother. Zoë, her father and her siblings were defiant. Both sides accused the other of aggravating the situation to get re-housed, but the Council had made it plain that Anti-Social Behaviour Contracts and eviction were more likely. Zoë's mother was very conscious of this. Mediators arranged a meeting between Simon and Zoë within five weeks, with their mothers present as silent supporters. But on two occasions Simon's mother cancelled at the last moment, partly because of ongoing incidents, but seemingly also because of anxiety that the past would come up. Zoë's mother and Simon were keen, but it seemed hopeless. Mediators therefore put the responsibility back on to the parties, allowed a natural break for Christmas, and did some telephone diplomacy. They then offered to shuttle between Simon and Zoë, with the Victim Support Restorative Justice worker accompanying Simon instead of his mother. On the day, bad timing meant that Zoë and Pam (her supporter) had to walk past Simon to enter the mediation office and needed much reassurance. Mediators then spent four-and-a-half hours shuttling between the parties' in separate rooms. Neither teenager wanted an ongoing relationship, but with the help of Zoë's mother and the Victim Support Worker they were able to generate a plan for ending interference from family and friends and managing unavoidable future contact.

The Result

The agreement was typed up and shuttled back and forth for signing. Some minor parts were vague, but both parties were too tired to continue and mediators felt that to set rules for future communication too strictly might prevent positive interaction once the immediate tension had calmed down. Simon and Zoë both asked if they could return if need be, and seemed to treat the document very seriously. This was eleven weeks after the referral. Six months later the situation was still calm. Simon's mother was so pleased that she sent chocolates to the Victim Support worker. The Anti-Social Behaviour Officer involved has since expressed interest in using mediation in similar cases. National TV later interviewed young victims in the area, including Simon. He attended the premiere at a local film festival, and it has been shown in schools. However, possible charges over death threats may still cause the conflict to resurface.